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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 BRYAN GEHRING,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner
of the Social Security Administration

14 Defendant.
15

CASE NO. 11-05079 BHS

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

16 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28
17 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by Mathews,
18 Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the
19 parties' stipulated motion to remand the matter to the administration for further consideration.
20 (ECF No. 17.)

21 After reviewing the parties' stipulated motion and the remaining record, the undersigned
22 recommends that the Court grant the parties' motion, and immediately reverse and remand this
23 matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).
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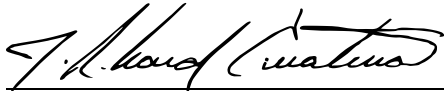
1 On remand, based on the parties' stipulation, this Court recommends that the
2 Administrative Law Judge assigned to this matter following remand (hereinafter "the ALJ") hold
3 a new hearing and issue a new decision. The ALJ should take the following specific actions: the
4 ALJ should further consider the opinions of Dr. Brown (Tr. 373-376), Dr. Boltwood (Tr. 311-
5 315), Dr. Neims (Tr. 266-271), and Dr. Heilbrunn (Tr. 343-347); the ALJ should further consider
6 Plaintiff's subjective complaints; the ALJ should further consider the lay witness statements of
7 Cindy Daily (Tr. 195-199), Todd Gehring (Tr. 238-243), Justin Frederinco (Tr. 46-54); and, C.
8 Schlader (Tr. 154-155); and, if warranted, the ALJ should obtain supplemental vocational expert
9 testimony.

10 This Court further recommends that the ALJ take any other actions necessary to develop
11 the record. In addition, Plaintiff should be allowed to submit additional evidence and arguments
12 to the ALJ on remand.

13 Given the facts and the parties' stipulation, this Court recommends that the District Judge
14 immediately approve this Report and Recommendation and order that the case be **REVERSED**
15 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

16 Judgment should be for plaintiff and this case should be closed.

17 Dated this 15th day of July, 2011.

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20 J. Richard Creatura
21 United States Magistrate Judge
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